

Mail Stop Interference  
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Paper 110  
Filed July 17, 2008

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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GUO-LIANG YU, BERKELEY, REINHARD EBNER,  
AND JIAN NI  
Junior Party  
(U.S. Application No. 09/589,288),

v.

JEFFREY **BROWNING**, CHRISTINE AMBROSE,  
FABIENNE MACKAY, JURG TSCHOPP, AND PASCAL SCHNEIDER,  
Senior Party  
(U.S. Patent No. 6,869,605).

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Patent Interference No. 105,485 (MPT)  
(Technology Center 1600)

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Before SALLY C. MEDLEY, MICHAEL P. TIERNEY, and JAMES T.  
MOORE, Administrative Patent Judges.  
TIERNEY, Administrative Patent Judge.

**Judgment – Bd.R. 127**

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Senior Party Browning has conceded the contest. (Paper 108).

Concession of priority of invention is construed as a request for adverse

1 judgment. 37 C.F.R. 41.127(b)(3). Judgment on priority of invention for  
2 the subject matter of Count 1, the sole count in interference, is awarded  
3 against Browning.

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5 It is:

6 **Ordered** that judgment be entered against Browning for Count  
7 1, the sole count in interference (Paper 1, p. 4).

8 **Further Ordered** that claims 1-14 of Browning's involved  
9 patent, U.S. Patent 6,869,605, are CANCELLED, 35 U.S.C. §135(a).

10 **Further Ordered** that a copy of this judgment be entered in the  
11 administrative records of the involved Browning, U.S. Patent 6,869,605 and  
12 Yu, U.S. Application 09/589,288.

1 cc (via electronic filing):

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4 Counsel for YU:

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